

TEXT OF TELEGRAM 80SEOUL 014196

ADP234

PAGE 01 SEOUL 14196 280826Z
ACTION EA-12

INFO OCT-01 ADS-00 HA-06 ID-14 CIAE-00 DODE-00 NSAE-00
NSCE-00 SSD-00 ICAE-00 INRE-00 PM-07 H-01 INR-10
L-03 PA-01 SP-02 SS-15 /072 W

0 280807Z OCT 80
FM AMEMBASSY SEOUL
TO SECSTATE WASHDC IMMEDIATE 9928
INFO AMEMBASSY TOKYO
SA CINCUNC KS
CHJUSMAG SEOUL KS
COMUSKOREA SEOUL KS//BJ-IS
CINCPAC HONOLULU HI

SEOUL 14196

E.O. 12065: N/A
TAGS: SEM, PINS KS
SUBJECT: KIM DAE JUNG APPELLATE TRIAL (REPORT NO. 4)

REF: SEMUL 14142 ✓

1. SUMMARY... EXAMINATION IS NOW COMPLETE OF THE DEFENDANTS CHARGED WITH SEDITION, AND THE ELEVEN WHO ARE CHARGED WITH MARTIAL LAW VIOLATION ARE NOW TESTIFYING. AT LEAST TWO DEFENDANTS, WHO HAD NOT PREVIOUSLY ALLEGED TORTURE, DID SO. THERE WERE DEFENSE REQUESTS FOR NEW EVIDENCE AND WITNESSES, AND THE COURT LEFT OPEN THE POSSIBILITY THAT THESE MAY BE ADMITTED, BUT THE PROSECUTION'S CONSENT WILL BE NEEDED. THE PROCEEDINGS, WHICH DEFENSE LAWYERS ESTIMATE WILL BE CONCLUDED BY NOVEMBER 1, CONTINUE TO BE ENLIVENED BY FAMILY MEMBERS' OUTBURSTS. END SUMMARY.

2. IN THE OCTOBER 27 AFTERNOON SESSION AND OCTOBER 28 MORNING SESSION, THE APPELLATE COURT FINISHED EXMINING THE

PAGE 02 SEOUL 14196 280826Z

DEFENDANTS CHARGED WITH SEDITION AND BEGAN HEARING THE GROUP CHARGED ONLY WITH MARTIAL LAW VIOLATIONS. TESTIMONY TRACKED GENERALLY WITH THAT GIVEN AT THE FIRST TRIAL. MOST OF THE SEDITION DEFENDANTS RECANTED STATEMENTS THEY HAD MADE TO INTERROGATORS, SAYING THEY HAD BEEN TORTURED INTO MAKING THEM; AT LEAST TWO OF THEM, YI SOK-PYO (M-R) AND CHO SONG-U (M-R), HAD NOT DONE SO AT THE FIRST TRIAL. KIM SANG-HYON (M-R) DID NOT SAY "TORTURE" BUT INSISTED THE KCIA HAD "FORCED" HIM TO UNTRUTHFULLY ADMIT GIVING FIVE

PAGE NO. 1

☒ RELEASE ☐ DECLASSIFY
☐ EXCISE ☐ DECLASSIFY
☐ DENY ☐ IN PART
☐ DELETE Non-Responsive Info
FOIA Exemptions
PA Exemptions

IS/FPC/CDR 11/12 Date. 9/13/93
MR Cases Only:
EO Citations
TS authority to:
☐ CLASSIFY as ☐ S or ☐ C OADR
☐ DOWNGRADE TS to ☐ S or ☐ C OADR

9003668

UNCLASSIFIED

UNCLASSIFIED

949

UNCLASSIFIED

MILLION WON TO CHONG TONG-NYON (M-R). BESIDES YI, CHO, AND KIM, DEFENDANTS YI SIN-POM (M-R) AND YI HAE-CH'AN (M-R) TOOK THE STAND OCTOBER 27, AND SONG KI-WON (M-R), SOL HUN (M-R), AND SIM CHAE-CH'OL (M-R) ON THE 28TH. SIM'S

[REDACTED]

APPEARANCE WAS THE BRIEFEST: HIS ATTORNEY HAD NO QUESTIONS, AND SIM HAD NO STATEMENT. DEFENDANT YI SIN-POM CHALLENGED THE COURT'S LEGITIMACY, BUT WAS CUT OFF BY A LAW OFFICER AND DID NOT PURSUE THE POINT. COURTROOM ATMOSPHERICS SHIFTED WITH THE PERSONALITIES OF THOSE TAKING THE STAND. SEVERAL DEFENDANTS CITED WITNESSES AND NEW EVIDENCE THEY WANTED INTRODUCED, BUT THE LAW OFFICER SAID SUCH REQUESTS MUST BE MADE LATER. THE ONE PROMINENT WITNESS REQUESTED (BY YI SIN-POM) WAS ARCHBISHOP YUN KONG-HUI (M-R) OF KWANGJU.

3. DEFENDANTS' FAMILIES CONTINUE TO PROVIDE FIREWORKS. ON OCTOBER 27, SECURITY MEN RESTRAINED CHO SONG-U'S MOTHER AND MUN IK-HWAN'S WIFE FROM TALKING TO DEFENSE LAWYERS. THE WOMEN SCREAMED, STRUGGLED, AND SLAPPED A SECURITY MAN WITH A CRACK HEARD THROUGHOUT THE LARGE COURTROOM. THEY LECTURED THE COURT ON WHAT A TRAVESTY OF JUSTICE THE TRIAL WAS, AND ON THE "YOUNG (SECURITY) MEN"'S FAILURE TO SHOW

[REDACTED]

PAGE 03 ----- SEDUL 14196 280826Z

DEFERENCE TO ELDERS. THE LATTER SCOLDING HIT HOME: SECURITY MEN LOOKED UNEASY, A NATIONAL POLICE (NDP) MAJOR GOT UP AND LEFT THE ROOM, AND NOT ONLY THE WOMEN BUT SOME OF THE DEFENDANTS WERE ALLOWED TO ORATE UNHINDERED FOR ABOUT FIFTEEN MINUTES. WHEN THE COURT RESUMED, A CORDON OF SECURITY MEN WAS IN PLACE AROUND THE SIXTY OR SO FAMILY MEMBERS, AND AT THE SESSION'S END THE FAMILIES WERE NOT, AS THEY HAVE BEFORE, ALLOWED TO APPROACH THE DEFENDANTS AS THE LATTER WERE LED OUT. SEVERAL DEFENDANTS' TESTIMONY INCLUDED PROTESTS AGAINST "VIOLENT" COURTROOM TREATMENT OF FAMILIES.

5. AS OF OCTOBER 27, THE CONSENSUS AMONG THE DEFENSE LAWYERS WAS THAT THE TRIAL WOULD BE COMPLETED BY ABOUT NOVEMBER 1 WITH SENTENCES PASSED LATER. GLEYSTEN

[REDACTED]

NNN

UNCLASSIFIED